



STATE OF TENNESSEE  
**EXECUTIVE ORDER**  
BY THE GOVERNOR

Number 46

**AN ORDER RELATED TO THE TENNESSEE NATIONAL GUARD'S  
DESIGNATION AS A LAW ENFORCEMENT AGENCY FOR THE LIMITED  
PURPOSE OF ASSET SHARING PURSUANT TO 21 U.S.C. 881(e)**

**WHEREAS**, the Tennessee National Guard has been providing assistance to the drug reduction and interdiction efforts of civilian law enforcement agencies since 1989; and

**WHEREAS**, agencies designated as law enforcement agencies are eligible to receive proceeds from federal asset forfeitures obtained in successful drug related prosecutions; and

**WHEREAS**, in order to enable the Tennessee National Guard to participate in the sharing of assets recovered through its drug reduction and interdiction efforts, Governor Sundquist, by Executive Order No. 25, signed on March 2, 2000, designated the Tennessee National Guard as a law enforcement agency for the limited purpose of receiving federal asset forfeiture proceeds. Governor Sundquist placed several limitations on this designation, including limiting its applicability to situations in which the Tennessee National Guard is acting as the sole state entity assisting the United States Customs Office for the purpose of carrying out drug interdiction and counter-drug activities; and

**WHEREAS**, this Administration believes it is important to maximize the resources available to enhance the Tennessee National Guard's ability to assist civilian law enforcement agencies in their drug interdiction and counter-drug efforts, when such assistance is requested by the civilian agencies; and

**WHEREAS**, to this end this Administration seeks to remove the existing limitation on the Tennessee National Guard's designation as a law enforcement agency that restricts such designation to situations in which the Tennessee National Guard is acting as the sole state entity assisting the United States Customs Office for the purpose of carrying out drug interdiction and counter-drug activities.

**NOW THEREFORE**, I, Phil Bredesen, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and law, do hereby order and direct the following:

1. The Tennessee National Guard shall be designated as a law enforcement agency for the limited purpose of receiving federal asset forfeiture proceeds, when the drug interdiction units of the Tennessee National Guard are:
  - a. Not in federal service (as defined in Title 10 of the U.S. Code); and
  - b. Under the control of the governor of Tennessee; and

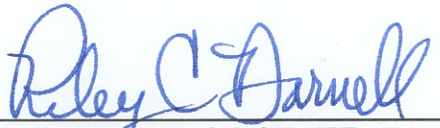
- c. Supporting law enforcement agencies that freely and voluntarily determine that the Tennessee National Guard Counterdrug Division's support has warranted the sharing of seized assets.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 18<sup>th</sup> day of April, 2007.



GOVERNOR

ATTEST:

  
SECRETARY OF STATE